

MAY 23 2012

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL ACTION FILE NO. 1:11-cv-82-MR-DLH

FEDERAL DEPOSIT INSURANCE
CORPORATION AS RECEIVER FOR THE
BANK OF ASHEVILLE,

Plaintiff

v.

GEORGE M. GABLER,

Defendant

CONSENT JUDGMENT

THIS CAUSE coming on to be heard and being heard, with the consent of the parties hereto, for final adjudication on the merits of Plaintiff's Complaint. The parties hereto hereby consent and agree to the form and entry of this Consent Judgment. Furthermore, the parties hereto expressly waive the requirements of Findings of Fact and Conclusions of Law and agree to be bound by this Consent Judgment, both at the trial court level and the appellate level.


THEREFORE, WITH THE CONSENT OF THE PARTIES, IT HEREBY IS ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

Plaintiff shall have and recover of Defendant George M. Gabler the sum of Six Hundred Sixty Two Thousand, Eight Hundred Sixty and 04/100 Dollars (\$662,860.04), plus interest at the legal rate of \$110.68 per diem from July 23, 2010, until paid in full, and attorneys' fees of \$99,429.00.

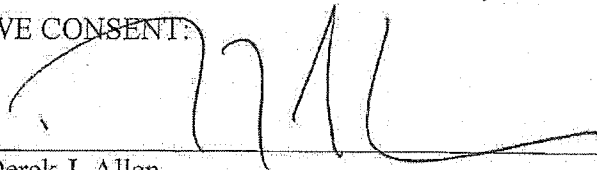
That Defendant's Counterclaims in this action shall be, and they are hereby, dismissed, with prejudice.

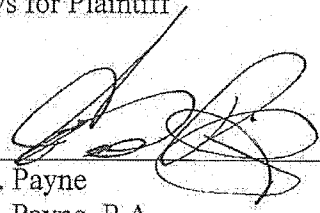
This is a final judgment as to Plaintiff's Complaint and there is no just reason for delaying the entry of this judgment.

This the 23 day of May, 2012.


The Honorable Presiding Judge

WE CONSENT:


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George M. Gabler [SEAL]
GEORGE M. GABLER

Buncombe COUNTY, NORTH CAROLINA

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document: GEORGE M. GABLER

Date 4/4/12
(Official Seal)

Linda O. Lichtenberg
Notary Public

My commission expires:

July 11, 2015

